

IN THE DRAWINGS:

Please substitute the replacement drawings attached hereto.

REMARKS

The Office Action dated June 27, 2008 has been fully considered by the Applicant. By way of the present amendment, independent Claims 1, 6 and 7 have each been amended.

The objection to the drawings has been addressed by the submission of replacement sheets.

The rejection of Claim 8 under 35 U.S.C. §101 has been addressed by cancellation of Claim 8 without prejudice to Applicant's rights.

The rejection of Claims 1 through 7, as now amended, under 35 U.S.C. §102(b) as anticipated by Hennig (U.S. Patent No. 5,956,455) is respectfully traversed. While Hennig discloses a system which attempts to insure that the "real" or "correct" start time of a program is used for recording, it is otherwise dissimilar. In Hennig, video program identification code data is compared to incoming time codes for the currently running program. The concern is that the broadcaster may use an incorrect start time code VPS which when the user presets the recording of the program, the incorrect start time is entered into the recording system. If that VPS code is subsequently corrected by the broadcaster before the broadcast of the program, the recording of the program will not take place as the recording system will not recognize the new corrected code. Hennig proposes that the system will perform update searches of the VPS codes between the time of the preset and the time of the broadcast. If the same VPS code is used, then the recording will take place on the basis of the original preset. If a new VPS code is detected for a program with the same time criteria, then the new VPS code will be used, so the program will be identified and recorded.

Hennig would still not allow for the recording settings to be altered with respect to the "real" start time in that the VPS code could be corrected, but, after that correction, the real start time could still change due to a problem close to the schedule of time of broadcast.

This problem has been identified and solved in the present invention in a unique manner. Rather than monitor the VPS program code which occupies four bytes on the data line 16 and the vertical blanking interval of a TV broadcast signal, the present invention utilizes an electronic program guide which is common in many broadcasts.

Support for the amendments are found on page 5, lines 31-33 of the specification and no new matter has been added.

The present invention allows user interaction with the electronic program guide and may be accomplished by a remote control to select a program to be recorded. This may take place before the television signal for the selected program is received by the decoder and is therefore based on the data used to generate the electronic program guide. The electronic program guide information associated with the selected program is used to preset the system for the recording of the program. Thereafter, the present invention has no concern as to whether or not the VPS code is wrong, as in Hennig. The theoretical starting time is identified at the time of the preset and then, when the television signal is received which includes the data relating to the program to be broadcast on the real start time, the real start time is identified and compared to the theoretical start time. If the start times are the same, then recording proceeds, but if the real start time differs from the theoretical start time, then the real start time is used so accurate recording of the program can be achieved regardless of the theoretical start time originally identified.

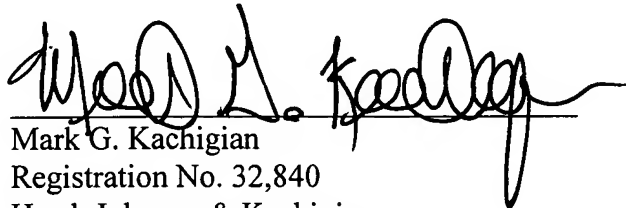
In summary, the independent claims are not anticipated by the present invention since the prior art does not provide the claimed feature of identifying a program to be recorded via interaction with an electronic program guide generated by a decoder prior to receipt of the television signal.

The dependent claims are dependent on the independent claims and are believed allowable for all of the same reasons.

Finally, a petition for a three month extension of time is submitted herewith.

It is believed the foregoing is fully responsive to the outstanding Office Action. If any issues remain, a telephone conference with the Examiner is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark G. Kachigian', is written over a horizontal line.

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